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Skagit County Planning and Permit Center

**SKAGIT COUNTY PLANNING AND PERMIT CENTER
FINDINGS OF FACT**

HEARING AUTHORITY: SKAGIT COUNTY PLANNING DIRECTOR

APPLICATION NUMBER: ADMINISTRATIVE DECISION PL02-0746

APPLICANT: COMMUNITY COVENANT CHURCH
C/O GARY FRIEND

ADDRESS: 15315 BAKER HEIGHTS ROAD
MOUNT VERNON, WA. 98273

PROJECT LOCATION: Located at 23605 Cherry Street, Clear Lake, within a portion of Section 1, Township 34 North, Range 4 East, W.M., Skagit County, Washington.

PROJECT DESCRIPTION: The applicant requests an Administrative reduction in setbacks for the construction of an 800 square foot (20' x 40') accessory structure to replace a 720 square foot structure that was previously destroyed by fire. The structure is proposed to be located approximately 10 feet off of the south (front) property line along Cherry Street, approximately 30 feet off of the west (side) property line along Highway 9, approximately 10 feet off of the north (rear) property line, and approximately 23 feet off of the east (side) property line. Skagit County Code section 14.16.310(5)(a) requires a 25 foot setback off of the front property line on minor access or dead end streets, 8 foot side yard setbacks on interior lots or a 20 foot side yard setback on street right-of-way, and a 25 foot setback is required off of the rear property line.

ASSESSOR'S ACCOUNT NUMBER: 4139-002-001-0019

PROPERTY ID NUMBER: P74892

ZONING/ COMPREHENSIVE PLAN: The proposed project is located within a Rural Village Residential (RVR) zoning/Comprehensive Plan designated area as identified within the Skagit County Comprehensive Plan and associated maps as adopted July 24, 2000.

STAFF FINDINGS: Pursuant to 14.16.810(4), the Administrative Official may reduce the required front, side or rear setbacks where topography or critical areas or the lot's size and configuration impact the reasonable development of the property. To reduce the front or rear setback, the Administrative Official must determine that the public health, safety and welfare will be maintained. Consultation with the Public Works Department concerning traffic safety may be solicited during this analysis.

1. The subject property is approximately 4,320 square feet in size located to the east of State Route 9 and to the north of Cherry Street within the Clear Lake Rural Village. The parcel measures approximately 40 feet in width along the east and west property lines and approximately 108 feet in length along the north and south property lines. The site contains an existing 320 square foot storage structure located along the northeast portion of the site, situated approximately 3 feet off of the north and east property lines. The proposed 800 square foot structure is to be located approximately four (4) feet to the west of the existing storage structure in the approximate location of the previous 720 square foot structure that was destroyed by fire.
2. The applicant is proposing to construct an 800 square foot (20' x 40') accessory structure to replace the 720 square foot structure that was previously destroyed by fire. The proposed new structure will be used for food basket ministry storage, church storage, pastor's office or a classroom. The structure is proposed to be located approximately 10 feet off of the south (front) property line along Cherry Street, approximately 30 feet off of the west (side) property line along Highway 9, approximately 10 feet off of the north (rear) property line, and approximately 23 feet off of the east (side) property line. No water or septic service will be provided to this structure as the bathrooms are located in the adjacent main church. The applicant is requesting a fifteen (15) foot reduction from the standard setback requirement along the north (front) and south (rear) property lines.
3. Skagit County Code section 14.16.310(5)(a), the Rural Village Residential (RVR) designated area, requires a 25 foot setback off of the front property line on minor access or dead end streets, 8 foot side yard setbacks on interior lots or a 20 foot side yard setback on street right-of-way, and a 25 foot setback is required off of the rear property line.
4. A letter of completeness was issued on April 15, 2003. A Notice of Development was published in a newspaper of general circulation and posted on the property on April 17, 2003. All property owners within 300 feet of the property were sent the Notice of Development. A fifteen day comment period was placed on the notice which ended on May 2, 2003. One comment letter was received during the comment period, on April 30, 2003, from Katherine Woelke, P.O. Box 364, Clear Lake, WA. 98235 requesting that the church property construct a six (6') foot high privacy fence along the common (north) property line.



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5. The proposal was reviewed by Skagit County critical areas staff. Staff indicated that a site visit was conducted on December 19, 2002 and no critical area indicators were found within 200 feet of the project area. Critical areas staff approved the proposal without conditions.
6. The proposal was reviewed by Public Works. Public Works had no concerns with the proposal.
7. Staff finds that the proposal to construct an 800 square foot (20' x 40') accessory structure to replace a 720 square foot structure that was previously destroyed by fire reasonable. The proposal will reduce the required 25-foot front and rear yard setback requirement by fifteen (15) feet. Staff finds this request reasonable due to the lot size and configuration of the parcel. The parcel is not only constrained by the 4,320 square foot lot size but also by the fact that site is located on a corner lot, fronting both State Route 9 to the west and Cherry Street to the south. Staff also notes that the majority of the structures located within the surrounding area currently do not meet the required setbacks for the zoning designation. The structure is proposed to be located approximately 10 feet off of the south (front) property line along Cherry Street, approximately 30 feet off of the west (side) property line along State Route 9, approximately 10 feet off of the north (rear) property line, and approximately 23 feet off of the east (side) property line.
8. Staff finds that the requested replacement structure proposed to be used for food basket ministry storage, church storage, pastor's office or a classroom would not create any problems with regard to the maintenance of public health, safety or welfare. Additionally, no traffic safety concerns were identified with the proposal. Staff finds that based on the lot size, the configuration of the existing neighborhood, and the location of the existing structures and infrastructure in proximity to this lot, the proposal shall be approved.

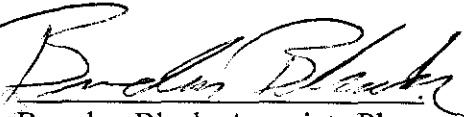


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Decision:

The Director hereby approves the Administrative Decision to allow reasonable use of the property subject to the conditions and modifications listed below:

1. The applicant shall obtain all necessary permits.
2. The building permit for the proposed residential modification shall be issued in accordance with the approved administrative decision as requested.
3. A copy of the approved administrative decision shall be submitted with the building permit application or submitted to proposed building permit file currently under review.
4. It is suggested that the applicant consult with the neighboring property owner to the north to address any concerns related to this proposal and discuss the feasibility of the construction of a privacy fence along the property line.



Brandon Black, Associate Planner

FOR



David Blane, Director

Date of approval: May 28, 2003

Prepared by: BB

The applicant and/or a party of record may appeal the decision of the Administrative Official to the Skagit County Hearing Examiner pursuant to the provisions of Section 14.06.110(7). Parties with standing to appeal must submit the appeal form and appeal fees to the Planning and Permit Center within 14 calendar days of the publication of this Notice pursuant to SCC 14.06.110.



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